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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

DANIEL H. HEYNS
DIRECTOR

DIRECTOR'S OFFICE MEMORANDUM 2013 - 18

EFFECTIVE: January 1, 2013

DATE: December 13, 2012

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Daniel H. Heyns, Director

SUBJECT: PD 01.01.140 "Internal Affairs"

SUPERSEDES 2012 - 23 (effective 2/1/12)

Paragraph Q of PD 01.01.140 requires the Administrator of the Internal Affairs Division to submit a recommendation to the Deputy Director of the Operations Support Administration (OSA) as to whether there is sufficient evidence to formally charge an employee, who has been investigated, with a rule violation. The OSA Deputy Director or designee will make the final determination whether charges will be issued in the case and, if applicable, what charges will be issued. If charges are not issued, the OSA Deputy Director or designee will determine whether there is sufficient evidence to conclude that the allegations are unfounded.

The Administrator of the Internal Affairs Division is required to only forward to the OSA Deputy Director those cases for which there is believed to be sufficient evidence to formally charge an employee with a rule violation. Whenever charges are not issued, the Administrator of the Internal Affairs Division will determine whether there is sufficient evidence to conclude that the allegations are unfounded.

Notwithstanding the above, the Sexual Misconduct Review Committee continues to be responsible for reviewing all completed investigation reports involving allegations of staff sexual misconduct prior to a determination being made whether there is sufficient evidence to formally charge the employee. Cases shall be referred to the OSA Deputy Director or the Administrator of the Internal Affairs Division, as appropriate, for that determination only with the concurrence of the Committee. If the Committee determines additional investigation is necessary, the investigation shall be completed and the case returned to the Committee for additional review prior to the referral.